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FM AMEMBASSY KATHMANDU
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1398
INFO RUEHLO/AMEMBASSY LONDON IMMEDIATE 3978
RUEHNE/AMEMBASSY NEW DELHI IMMEDIATE 9704
RUEHLM/AMEMBASSY COLOMBO IMMEDIATE 4582
RUEHKA/AMEMBASSY DHAKA IMMEDIATE 9686
RUEHBK/AMEMBASSY BEIJING IMMEDIATE 4326
RUEHIL/AMEMBASSY ISLAMABAD IMMEDIATE 2569
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0855
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 1768
RUEAAIA/CIA WASHDC IMMEDIATE
RUEHGV/USMISSION GENEVA IMMEDIATE 1117
RHEHNSC/NSC WASHDC IMMEDIATE
RHEFDIA/DIA WASHDC IMMEDIATE
RUEKJCS/SECDEF WASHDC IMMEDIATE
RHHMUNA/CDR USPACOM HONOLULU HI IMMEDIATE

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TAGS: PGOV PTER PREL MASS PINR IN NP
SUBJECT: PRIME MINISTER KOIRALA ON THE WAY AHEAD

REF: A. KATHMANDU 1191

1B. NEW DELHI 3048

Classified By: Ambassador James F. Moriarty, Reasons, 1.4 (b/d).

Summary

11. (C) Prime Minister Koirala appealed May 10 to the Ambassador for assistance in gaining Indian support for a third party witness for negotiations with the Maoists and for international monitors of the cease-fire. Koirala liked the suggestion of having two witnesses - perhaps an Indian and an outsider - to be able to observe the negotiations, suggesting that it be done under a UN rubric. He also suggested expanding the mandate of the UN Office of the High Commissioner for Human Rights (OHCHR) so the UN could act as an umbrella organization for the cease-fire. Koirala expected the seven parties to finish their wrangling and finalize a Cabinet by May 11. The Nepali Congress would lead the Government of Nepal's (GON) negotiating team, which would then report back to a caucus of the seven-party alliance. He requested that U.S. continue to hold off any security assistance until the military was definitively brought under civilian control. End Summary.

Getting Government Going

12. (C) Prime Minister Koirala acknowledged there had been some difficulties among the seven parties regarding representation in the new Cabinet and regretted that the naming of Ministers had taken so long. He said that Nepali Congress (NC) had claimed the Home and Finance Ministries, but had opened other ministries to the other members of the seven party alliance, in an effort to maintain unity. He planned to hold a Cabinet meeting the morning of May 11. He expected to finalize the Cabinet then. The Ambassador commended the government with acting and making decisions on other issues, which had assured the public that the government was not deadlocked, even if there were political maneuvering behind the scenes. The Ambassador encouraged the Prime Minister to make progress on social, economic and

development programs as well to show people the government was working, even if progress on talks with the Maoists turned out to be slow.

Need Third Party Witness ...

¶ 13. (C) Prime Minister Koirala stressed to the Ambassador that the GON wanted a third party presence, someone of stature and independence, to act as a witness during the negotiations with the Maoists. The Ambassador noted that a witness with the responsibility of reporting if things went wrong during the negotiations could help keep them on track. He suggested the GON would need to ensure the Government of India (GOI) was comfortable with the idea of an international witness. Perhaps India could also play a role in the negotiations.

¶ 14. (C/NF) Koirala said he had told Indian Ambassador Shiv Mukherjee, Prime Minister Singh and Foreign Secretary Saran that India should play a behind-the-scenes role, otherwise people might express an "anti-Indian sentiment" and blame India for any breakdown in the negotiations. The Ambassador pointed out that India had legitimate concerns. The Ambassador suggested having two witnesses, one Indian and one other international player, might be an option. Agreeing, Koirala said that it would be best if the international witness came under a "UN umbrella." Koirala noted that India had agreed to a UN role in arms decommissioning, so he hoped it would also accept witnesses in the dialogue. He said events were progressing rapidly and requested that the U.S. talk with the GOI about this issue.

... And International Monitors

¶ 15. (C/NF) Koirala also stated that there should be a combined group of international and domestic observers to monitor the cease-fire to determine whether both sides were implementing the code of conduct. He hoped that OHCHR would be able to galvanize national and international monitors. The Ambassador agreed that Nepalis might be afraid to report Maoist abuses if monitors only came from domestic human rights organizations. However, he said that India had been unreceptive when the U.S. had twice suggested international monitoring of a cease-fire. Koirala noted that such resistance was surprising given India's agreement to UN supervision of arms decommissioning. He suggested that since India had already recognized OHCHR in Nepal, it should be easier for India to accept an expansion of their mandate to include monitoring a cease-fire.

Peace Process: Working With Outsiders ...

¶ 16. (C) The Ambassador asked whether the GON had decided which would-be facilitator it wanted to work with during the negotiations, noting that many international players were offering to help. He suggested that the GON's own interests should be the criteria. Some groups or people might be more interested in ensuring the process of negotiations with the Maoists continued rather than in the result of any negotiation. For example, the GON probably should not select an organization that did not share GON bottom lines such as insisting that the Maoists had to give up their weapons and renounce violence before participating in an interim government or elections. Koirala effusively expressed appreciation for the advice.

... Organizing For Talks

¶ 17. (C) Prime Minister Koirala explained that the seven-party alliance had asked Nepali Congress to take the lead in negotiating with the Maoists. The government's team would not have representatives from each party on it. Instead, the team would report back to the seven-party alliance. During the first phase, second-tier party leaders would lead the talks. Only when negotiations were close to final would

senior leaders become involved.

Dealing With The Military

¶8. (C) The Prime Minister's advisor, Suresh Chalise, raised a GON request that the international community not treat the military as a separate branch of government. Koirala explained that doing so could lead the military to think they "have their own identity outside the executive branch." The Prime Minister agreed that Parliament should move fast to resolve legal questions so that it was clear that the army was under the control of the civilian government. Chalise said that until the military was brought under civilian control, the GON would prefer not to have any kind of security assistance, including training, from the international community. The GON was not opposed to trying to empower the military, as it was an important lever to ensure the Maoists negotiated in good faith, once civilian control was formalized.

Koirala's Health

¶9. (C) Koirala started the meeting looking pretty chipper, although he complained that he did not feel well. He said he was taking oxygen, but would delay seeking treatment in Bangkok or Singapore for his lungs until after he had "managed" the situation. Toward the end of the thirty minute meeting he was clearly flagging.

Comment

¶10. (C) We believe international witnesses can play a crucial role in observing negotiations. International monitors working with domestic groups also probably will be needed to monitor the cease-fire and code of conduct. The Ambassador plans to discuss these issues with both visiting UN Special Advisor Tamrat Samuel and Indian Ambassador Shiv Mukherjee. Given past Indian resistance to a greater international or UN role in these areas, Washington might consider weighing in with the GOI.

MORIARTY